

VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN  
(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD

**Wednesday, January 4, 2006**

President Whowell called the monthly meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call: Petersen, Larson, Pollitt, Turner, O'Connell, Bromfield, President Whowell

**Also present:** Joe Abell, Larry Austin, Frank Dobbs, Village Administrator Kelly Hayden-Staggs, Librarian Nancy Krei, Lou Loenneke, Village Clerk Dennis Martin, CDA Executive Director Joseph McHugh, Lynne Novak, Building Inspector Ron Nyman, Arlene Patek, Andy Pearce, Treasurer Peg Pollitt, Pat Schroeder, Paul Sloth, Director of Public Works Craig Workman

**Visitors Heard**

Lynne Novak stated she was seeking direction from the Village Board with regard to obtaining approval to serve liquor to diners on the outdoor patio at Novaks' Deli, 158 Fontana Boulevard. The building code for fences in front yards will not allow the Novaks to construct a fence that would meet the current inspection approval requirements for a liquor license serving premise. Turner stated that he supports the approval of outdoor liquor serving areas if the village establishes service area guidelines and rules to govern the approval process. Turner suggested that staff work on a proposal to be presented to the Plan Commission. The Village Board was in unanimous consensus that the village should work with the Novaks to allow for liquor services on their outdoor patio, and to establish criteria that would allow or prohibit outdoor liquor serving areas depending on the circumstances of the buildings in question. The Board directed Hayden-Staggs to work on a proposal to present to the Plan Commission.

**Announcements**

Hayden-Staggs announced that a Global Committee meeting to discuss the Pioneer Park boat turnaround Proposal will be held Wednesday, January 18, 2006, at 5:00 pm; the next Plan Commission meeting will be held Tuesday, January 24, 2006, at 5:30 pm; a workshop meeting to discuss the Non-Conforming Ordinance will be held Monday, January 30, 2006, at 5:30 pm; the next Village Board regular meeting will be held Tuesday, February 7, 2006, at 6:00 pm; and the next CDA Board meeting will be held Wednesday, February 8, 2006, at 6:00 pm. Hayden-Staggs also announced that seven candidates for Village Trustee filed Nomination Papers for the spring election, so a Primary will be held Tuesday, February 21, 2006. Hayden-Staggs also stated that during a staff meeting an idea was presented to hold a Town Hall meeting on Saturday, February 18, 2006, to give voters an opportunity to meeting the seven candidates. The Board directed the village staff to plan for the February 18, 2006 Town Hall meeting.

**Approval of Minutes**

**December 6, 2005 and December 20, 2005**

Trustee Pollitt stated that he had concerns with the December 6, 2005 preliminary minutes with regard to the beach house construction contract item under the CDA portion of the agenda. Martin and McHugh will amend the section and the minutes will be brought back for approval at the next Village Board meeting.

O'Connell/Bromfield 2<sup>nd</sup> made a MOTION to table the minutes for the December 6, 2005 meeting, and to approve the minutes for the December 20, 2005 meeting, and the MOTION carried without negative vote.

**Village Treasurer's Report**

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to accept the Treasurer's Report for November 2005 and

to place it on file for the audit, and the MOTION carried without negative vote.

#### **Approval of Village and Utility Payables**

Trustee Pollitt stated that he was concerned that the village attorney bills for the last three months included almost \$6,000 in charges for work completed on research with regard to the policing service economic inquiry to the Walworth County Sheriff's Department. Trustee Pollitt stated that the Village Board only authorized the writing of a letter and a meeting with the sheriff. Thorpe stated that he performed a lot more services than just drafting a letter and attending a meeting. Thorpe stated that research had to be completed on the parameters of the new law and other municipalities in the state had to be contacted to solicit input on the procedures. Hayden-Staggs stated that the economic study was talked about in a closed session, when the Board directed the action. Hayden-Staggs stated that other attorney review work was requested following staff meetings and at the direction of the Protection Committee.

Pollitt/Turner 2<sup>nd</sup> made a MOTION to approve the payables as presented, with the addition of eight bills and the village attorney's December bill totaling \$11,667, and the MOTION carried without negative vote.

#### **Public Works - Trustee Petersen**

##### **Fontana Boulevard Utilities Project Update**

Workman stated that the project is on schedule. There has been a planned break in activity for the holiday season. Work is scheduled to commence next week on the south side of Fontana Boulevard.

##### **Walworth Water Connection Update**

Workman stated that the water line is constructed and operational; however, a meter still has to be installed. In case of an emergency, the water line can be used.

##### **Main Lift Station Plan Modification**

Workman stated that because of a design error, the underground portion of the lift station was initially placed on utility and fiber optic lines. The underground portion has been shifted to avoid the lines. Workman stated that a large crane is scheduled to be in Fontana next week, at which time major excavation work will commence.

#### **General Business/Administrator's Report – President Whowell/Administrator Hayden-Staggs**

##### **Frank Dobbs Triathlon Approval for September 9, 2006 (Tabled December 6, 2005)**

Dobbs stated that he met with Workman to establish new bicycling routes and parking plans for the annual triathlon because of the fall construction schedule. Instead of the traditional bicycle route that headed south from the beach transition area, Dobbs stated that two routes have been planned to head northwest from the beach to Highway 67 and north up the hill. President Whowell stated that he preferred Plan B, which heads north down Lake Street to Kinzie Avenue and then west to Highway 67. Because the Village parking lots will be under construction, alternate parking has been planned at St. Benedict Catholic Church, Fontana Elementary School, the Community Church of Fontana and possibly on a parcel owned by Kent Shodeen. Participants also will be able to take a shuttle bus from the Williams Bay High School to the Fontana beach. Hayden-Staggs stated that she was concerned that many participants arrive at the last minute and Williams Bay High School will not be an adequate alternative. Dobbs stated that participants will be notified in advance of the construction projects and the alternative parking sites. Dobbs also was directed to contact Country Club Estates and the Abbey Resort to solicit the use of their parking lots.

Turner/Bromfield 2<sup>nd</sup> made a MOTION to approve the plan modifications for the annual triathlon to be held Saturday, September 9, 2006, and the MOTION carried without negative vote.

##### **Approval of Resolution to Participate in State Voter Registration System**

The Wisconsin State Election Board requested each municipality to adopt a model resolution to authorize participation in the SVRS. The SEB was charged with implementing a statewide voter registration system that complies with the Help America Vote Act of 2002 (HAVA).

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve Resolution 01-04-06-01 as presented, and the MOTION carried without negative vote.

### **Lions Club Summer Events**

Lions Club members Andy Pearce and Joe Abell requested an update on the village construction projects in the Reid Park area because initial planning is underway for the Lions Club's annual summer events on the Fontana lakefront. Pearce stated that the club's annual Lobster Boil event is being planned for Saturday, July 29, 2006, and he asked if an alternate location will be needed. President Howell stated that the construction schedule calls for Reid Park to be completed before the Fourth of July holiday. Workman stated that the contract completion date is June 30, 2006. Pearce was directed to have a Plan B ready in case of unforeseen delays in the construction schedule. Abell asked if the village was planning to hold its annual fireworks show on July 4 again this year because the club is planning its annual sale of concessions in the park. The Village Board members stated that the fireworks display is being planned for July 4 again this year. The Board directed the Lions Club to present its Plan B for the Lobster Boil and its plan for the Fourth of July concession stand to the Park Commission and final approval for the summer events will be acted on by the Village Board at its February 7, 2006 meeting.

### **Employment Contract Renewals – Non-Union Employees**

Hayden-Staggs stated the two of the non-union employee contracts are expiring and have to be renewed. Hayden-Staggs requested that Trustee Pollitt assist her in preparing a proposal for consideration at next month's Village Board meeting.

### **Rescue Squad Ordinance Amendment**

Hayden-Staggs stated that the Rescue Squad membership requested two changes to the ordinance that delineates financial policies and procedures for the Rescue Squad, otherwise known as Fontana Emergency Medical Services. Chief Larry Austin stated that the membership asked for the changes to clarify a few points.

Turner/O'Connell 2<sup>nd</sup> made a MOTION to approve Ordinance No. 01-04-06-01 as presented, and the MOTION carried without negative vote.

### **Park Commission - Trustee Larson**

#### **Land Mark Tree Committee Appointments**

The agenda item was incorrectly listed as appointments; however, the item was meant to be an update on the process to make an official listing of the trees in the village that will be designated land marks. Larson stated that the Park Commission is working on the project.

### **Lakefront and Harbor - Trustee O'Connell**

#### **Monthly Update**

O'Connell reported that there was nothing new to report at the meeting.

### **Protection Committee – Lt. Buchholz**

#### **Monthly Update**

Lt. Buchholz stated that there has not been another Protection Committee meeting since the last Village Board meeting, so there was nothing that required Village Board action. Lt. Buchholz stated that the holiday season went well for the Police Department, and at its last meeting the Police and Fire Commission selected candidates for the officer eligibility list.

### **CDA – Trustee Turner**

#### **2006 Budget (Tabled December 6, 2005)**

Turner presented the \$11,163,000 expense budget for 2006 that was approved by the CDA Board. Turner also presented the most recent full accounting spreadsheet and the TIF increment plan. Turner stated that Peg Pollitt and McHugh did a great job putting the documents together. Turner/Pollitt 2<sup>nd</sup> made a MOTION to approve the CDA 2006 Budget as presented, and the MOTION carried without negative vote.

### **Ruekert-Mielke Design and Engineering Services Contract for Third Avenue Project**

Turner stated that the design and engineering services contract with Ruekert-Mielke is for \$54,000 to \$59,000 depending on the final scope of the project.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the contract as presented, and the MOTION carried without negative vote.

### **Highway 67 Landscape Construction Documents & Specifications Approval - PDI**

Turner stated that the landscape planning is near complete and the CDA approved the contract at its last meeting.

### **Plan Commission – President Whowell**

#### **Approve Raze Permit Ordinance Recommendation**

Two ordinances were presented that establish the procedures and regulations for razing buildings. The Plan Commission recommended approval of the proposal.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve Ordinance No. 01-04-06-02 and Ordinance No. 01-04-06-03 as presented, and the MOTION carried without negative vote.

### **Public Hearing Announcements for January 24, 2006 Plan Commission Meeting**

The Plan Commission will hold public hearings at its January 24, 2006 meeting for a PD proposal for Condo Unit Conversion at the Fontana Village Inn; for a Municipal Code Amendment to the Downtown Preservation District, to add a provision that allows Residential Proposals under the CUP process; for an amendment to the Natural Resources Conservation Ordinance; and for a CUP application filed by Marnie Atkinson.

### **Finance Committee – Trustee Pollitt**

#### **2006 Utility Budget**

Hayden-Staggs stated that the budget should be ready for action at next month's meeting.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to table the matter until the next meeting, and the MOTION carried without negative vote.

### **F/W WPCC - Trustee Petersen**

#### **Monthly Update**

Petersen stated that there was nothing new to report this month.

### **Pending Items for Future Agendas**

1. Abbey Bridge Study
2. Chapter 54 Ordinance Revision
3. Tracy Preannexation & Easement Request

### **Announcement for Board of Trustees to Consider Going Into Closed Session** - President Whowell

Petersen/Bromfield 2<sup>nd</sup> made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats. to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically a Writ of Mandamus filed by Robert Sandy, and the roll call vote followed:

Larson - Yes

Pollitt – Yes

Turner - Yes

O'Connell – Yes

Bromfield - Yes

President Whowell – Yes

Petersen – Yes

### **Adjourn Closed Session**

Turner/O'Connell 2<sup>nd</sup> made a MOTION to adjourn the closed session of the Village Board and reconvene in open session at 7:51 pm, and the MOTION carried without negative vote.

### **Adjournment**

Petersen/Pollitt 2<sup>nd</sup> made a MOTION to adjourn the meeting at 7:51 pm, and the MOTION carried

without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk  
[villageclerk@villageoffontana.com](mailto:villageclerk@villageoffontana.com)

Note: These minutes are subject to further editing. Once approved by the Village Board, the official minutes will be on file at the Fontana Village Hall.

APPROVED: 02/07/06